

REMARKS

Claims 1-44 are pending in this application. By this Reply, new claims 36-44 have been added. Claims 1, 11, 19 and 32 are independent claims.

The specification has been reviewed and revised to correct minor informalities and to clarify the invention according to U.S. practice. These modifications do not add any new matter to the disclosure.

Drawing Objection

The drawings have been objected to because reference numeral "133" has been used twice in Figure 3. To overcome this objection, Figure 3 has been amended to change "133" to --132--. Thus, the withdrawal of this drawing objection and the Examiner's approval of corrected formal Figure 3 are respectfully requested.

Oath/Declaration

In response to the Examiner's indication that the filed Declaration is defective because it contains an incorrect year for the foreign priority document on which priority is claimed. Thus, a new Declaration in full compliance with 37 C.F.R. 1.67(a) is attached. The new Declaration should replace the originally filed Declaration.

35 U.S.C. §112, Second Paragraph, Rejection

Claims 2-3, 9-20, and 32-35 have been rejected under 35 U.S.C. §112, second paragraph, due to antecedent basis concerns. To overcome this rejection, these claims have been reviewed and revised to provide proper antecedent basis. Regarding claim 32, however, Applicants respectfully point out that "the main menu items" at line 9 already have proper antecedent basis since it is mentioned at line 2 as "OSD main menu items". Based on these reasons, reconsideration and withdrawal of the rejection is respectfully requested.

35 U.S.C. §102 Rejection

Claims 1-4, 6-7, 9-12, 14-15, 17, 19-20, 22, 24, 26-32, and 34-35 have been rejected under 35 U.S.C. §102(e) as being anticipated by Lokuge (USP 6252597). This rejection, insofar as it pertains to presently pending claims, is respectfully traversed.

Regarding independent claims 1 and 32, Lokuge is directed to providing a graphical user interface for displaying visibly present large file structures on a desktop using a file hierarchy structure as shown in Fig. 5. However, Lokuge's sub-menu item 58 shown in Fig. 5 corresponds to the file history. Such sub-menu items are collected by the user of the desktop, which are then categorized

and placed under an appropriate main category (main menu item). Further, there is no main menu item for selecting video.

In clear contrast, in Applicants' embodied invention as shown in Fig. 9, if a first menu item selected by a viewer is video, it displays a second menu level having at least one sub-menu item (e.g., Brightness, Sharpness, Color, Tint, etc.) related to the video. The sub-menu items are preset and are not modifiable by a user. For example, a manufacturer of a digital TV may preset which sub-menu items should be included under a main item for selecting video. Further, the sub-menu items are not connected with the corresponding file history, but are related to a main menu item selected. Accordingly, Lokuge fails to teach or suggest, *inter alia*:

displaying, in the opened space, a second menu level having at least one sub-menu item related to the first main menu item if the first main menu item is selected, such that if the first main menu item selected is video, then at least one sub-menu item related to the video is displayed

As recited in independent claim 1; and

a controller which . . . displays on the first region of the screen at least one sub-menu item related to the selected main menu item in the opened space using the data stored in the storage if the main menu item is selected, such that if the main menu item selected is video, then at least one sub-menu item related to the video is displayed

as recited in independent claim 32.

Regarding independent claim 11, the Examiner alleges that Lokuge teaches the step of erasing the displayed at least one sub-menu item and closing the first space when a new main menu item is selected from the main menu items using the item indicator, as recited in independent claim 11. However, column 7, lines 8-11 of Lokuge clearly mentions that clicking the mouse button over the category already expended would cause the category to collapse and disappear from the display. This is different from erasing the displayed sub-menu item when a *new main menu item* is selected. In fact, Figs. 10 and 11 of Lokuge indicate that the displayed sub-menu item is not erased when a new main menu item is selected, but is continuously displayed unless it is specifically commended to be erased by, e.g. clicking a mouse over the displayed sub-menu item. Therefore, there is no such erasing step in Lokuge.

Regarding independent claim 19, the Examiner equates "Patent-Netscape" window shown in Fig. 11 of Lokuge to Applicants' displaying of a function control window corresponding to a selected sub-menu item in a second region of the screen. However, Lokuge nowhere discloses that the "Patent-Netscape" window corresponds to any selected sub-menu item shown on the left window of Fig. 11. In fact, Fig. 11 shows the "Patent-Netscape" window to illustrate that

as the file hierarchy display on the left window increases, a remaining window space decreases, e.g. see column 10, lines 63-65 of Lokuge. Thus, it is erroneous to equate the "Patent-Netscape" window shown in Fig. 11 of Lokuge to Applicants' function control window displayed in correspondence to a selected sub-menu item in a second region of the screen. Accordingly, Lokuge fails to teach or suggest, *inter alia*:

displaying a function control window corresponding to a selected sub-menu item in a second region of the screen, when a sub-menu item is selected from the displayed at least one sub-menu item

as recited in independent claim 19.

Accordingly, independent claims 1, 11, 19 and 32 and their dependent claims (due to their dependency) are patentable over Lokuge, and reconsideration and withdrawal of the rejection based on these reasons is respectfully requested.

35 U.S.C. §103 Rejection

Claims 5, 8, 16, 18, 23, and 25 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lokuge and Kim (USP 6133911). Claims 13, 21 and 33 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lokuge and Torres (USP 4821211). These rejections, insofar as they pertain to the presently pending claims, are respectfully traversed.

As discussed above, Lokuge fails to teach or suggest, *inter alia*:

displaying, in the opened space, a second menu level having at least one sub-menu item related to the first main menu item if the first main menu item is selected, such that if the first main menu item selected is video, then at least one sub-menu item related to the video is displayed

as recited in independent claim 1;

erasing the displayed at least one sub-menu item and closing the first space when a new main menu item is selected from the main menu items using the item indicator

as recited in independent claim 11;

displaying a function control window corresponding to a selected sub-menu item in a second region of the screen, when a sub-menu item is selected from the displayed at least one sub-menu item

as recited in independent claim 19; and

a controller which . . . displays on the first region of the screen at least one sub-menu item related to the selected main menu item in the opened space using the data stored in the storage if the main menu item is selected, such that if the main menu item selected is video, then at least one sub-menu item related to the video is displayed

as recited in independent claim 32.

Further, neither Kim nor Torres overcomes these deficiencies of Lokuge. Kim is relied on for allegedly teaching a sequential

display of menus. Torres is relied on merely for teaching the use of a selection key to select a menu item.

Thus, even if these references are combinable, assuming *arguendo*, the combination of references would still fail to teach or suggest at least the above-identified features of claims 1, 11, 19 and 32.

Accordingly, claims 1, 11, 19 and 32 and their dependent claims 5, 8, 13, 16, 18, 21, 23, 25 and 33 (due to their dependency) are patentable over the applied references, and reconsideration and withdrawal of the based on these reasons is respectfully requested.

New Claims

Claims 36-44 depend from claims 1, 11, 19 and 32 and are thus allowable at least for the same reasons that their independent claims are allowable as discussed above. In the alternative, these claims further emphasize distinguishing features of Applicants' invention over the prior record.

Conclusion

In view of the above amendments and/or remarks, an issuance of a Notice of Allowance is respectfully requested.


Appl. No. 09/716,227

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Reg. No. 40,953) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment(s): One (1) Replacement Sheet Depicting Corrected
Formal Fig. 3